



Jonathan Mioduszewski <jonm@yellowbearcleaners.com>

Discovery Default - Notice of Motion to Sanction

Julio Gomez <jgomez@gomezllc.com>

Wed, Mar 4, 2020 at 9:28 AM

To: Jonathan Mioduszewski <jonm@yellowbearcleaners.com>, "Joseph M. Shapiro" <jshapiro@middlebrooksshapiro.com>, team <team@middlebrooksshapiro.com>

Mr. Mioduszewski,

None of your interrogatories or document requests from your attorney ever sought information related to Paul Mastrola, Jr. and his business relationship with NEXT. A motion for continuance is not a request directed to Plaintiff, that was directed to the Court, and the Court has never directed Plaintiff to produce any such documents. Mastrola and ShirtsNSkirts are affiliates of NEXT because they do not use the NEXT brand. To my knowledge you have never specifically asked for "non-branded affiliates information" – aside from the fact that I am not sure what a "non-branded affiliate" is. As you know, ShirtsNSkirts does not use the NEXT trademark; it only sends clothes to the NEXT plant for dry cleaning; ShirtsNSkirts conducts business under its own trade name. Plaintiff categorically denies your accusation that it has "been and still are in league to damage" you in any way.

Your February 22 letter did not provide or request any detailed information at all. It only asked Plaintiff to "forward any details of the relationship with ShirtsNSkirts, including any documents, emails, or any other relevant form between your client and Mr. Mastrola Jr." Since Mr. Mastrola has never used the NEXT trademark we do not see how his sending clothes to the NEXT plant for cleaning has any bearing on the issues in this case. Additionally, you served him with a subpoena and you should move to enforce your subpoena. NEXT is not aiding Mr. Mastrola to evade service or compliance with the subpoena.

Even though it is not relevant, I will ask Plaintiff if it will produce "Emails, documents, Mailing location of Paul Mastrola Jr or his official place of business, which we cannot find anywhere online." As you requested in your email below; I will report back on this later today.

Thank you.

Julio Gomez

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